

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI**

REBECCA LEWIS, Individually, and as Ad Litem on behalf of Decedent, and Decedent's wrongful death beneficiaries.

Plaintiff,

v.

BLUE SPRINGS SCHOOL DISTRICT,
PAUL KINDER,
DIANE SEVERNS,
KEVIN GROVER,
BRANDON MARTIN,
JIM BRESKE,
DEBBIE CURTIS,
BRETT LYON,
MARK WALKENHORST,
RECHELE ROSS WHITE a/k/a SHELLY
WHITE,
ALLISON SPENCER,
JUDI KNIPMEYER,
MARILLAC CENTER INC., now merged
into CORNERSTONES OF CARE,
MAGGIE CHIU, LMSW,
JOHN DOE 1,
JOHN DOE 2,
JOHN DOE 3,
JANE DOE 1,
JANE DOE 2,
JANE DOE 3,

Defendants.

NOTICE OF REMOVAL

TO: The Judges of the United States District for the Western District of Missouri.

Defendants Blue Springs School District, Diane Severns, Kevin Grover, Debbie Curtis, Brett Lyon, Mark Walkenhorst, Allison Spencer and Judi Knipmeyer in the above-entitled cause,

respectfully remove this case to this Court from the Circuit Court of Jackson County, Missouri. In support of removal, Defendants state as follows:

1. This is a suit of a civil nature over which the District Courts of the United States have original jurisdiction pursuant to 28 U.S.C. § 1331 as it involves alleged Federal questions under 42 U.S.C. § 1983 and 20 U.S.C. § 1681 and Section 504 of the Rehabilitation Act, and therefore it is one which may be removed to this Court by Defendants pursuant to 28 U.S.C. § 1441(a) and (c).

2. The above-titled cause was commenced in the Circuit Court of Jackson County, Missouri on May 19, 2017. On May 19, 2017, Plaintiffs filed their Petition in the Circuit Court of Jackson County, Missouri. The matter was assigned Case No. 1716-CV11481.

4. True and correct copies of all filings from Jackson County, Missouri Circuit Court Case No. 1716-CV11481 are attached hereto and marked as **Exhibit A**.

5. In accordance with 28 U.S.C. §1446(d), Defendants are promptly notifying Plaintiffs, in writing, that this case has been removed to this Court pursuant to this Notice of Removal. Defendants have, contemporaneously with the filing of this Notice of Removal to this Court, filed a copy of the same with the Clerk of the Circuit Court of Jackson County, Missouri in conformity with 28 U.S.C. §1446(d).

6. This Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446(b), as this Notice of Removal is filed within thirty (30) days of receipt of Plaintiff's Petition in this action by Defendants.

7. On June 5, 2017, Defendants Severns, Grover, Curtis, Walkenhorst and Spencer were formally served with a Summons and the Petition. Defendant Brett Lyon was formally served with a Summons and Petition on June 16, 2017. Defendant Blue Springs School District

was formally served with a Summons and Petition on June 20, 2017. Defendant Judi Knipmeyer was served with a Summons and Petition over the weekend of June 24, 2017.

8. To Defendants' knowledge, only one other Defendant, Marillac Center, Inc., alias Cornerstones of Care, has been served with process in this case. Counsel for Marillac Center, Inc. has advised Defendant Marillac Center, Inc. consents to the removal of this case. Attached hereto as **Exhibit B** is a true and accurate copy of the communication received from Counsel for Marillac Center, Inc. confirming such consent.

9. Defendants Blue Springs School District, Diane Severns, Kevin Grover, Debbie Curtis, Brett Lyon, Mark Walkenhorst, Allison Spencer and Judi Knipmeyer each consent to the removal of the action to this Court.

WHEREFORE, Defendants Blue Springs School District, Diane Severns, Kevin Grover, Debbie Curtis, Brett Lyon, Mark Walkenhorst, Allison Spencer and Judi Knipmeyer remove this case to this Court for all future proceedings.

Respectfully submitted,

CORONADO KATZ LLC

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ATTORNEYS FOR THE BLUE SPRINGS SCHOOL DISTRICT,
SEVERNS, GROVER, CURTIS, LYON, WALKENHORST,
SPENCER AND KNIPMEYER

CERTIFICATE OF SERVICE

I hereby certify that the above and foregoing was filed via the ECF Filing system causing a service copy to be sent on June 30, 2017, and copies in PDF format via electronic mail to:

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